

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

\*\*\* FILED \*\*\*  
01/23/2002

01/15/2002

CLERK OF THE COURT  
FORM R576

JUDGE PRO TEM WM. DAVID ANDERSON

Julie Bower  
Deputy

CR 2001-017840

FILED: \_\_\_\_\_

STATE OF ARIZONA

JEFFREY R DUVENDACK

v.

FRANK CONDIDO HAUBER  
DOB: 03/06/82

SUZETTE I PINTARD

APO - SUMMARY PROBATION  
APPEALS-CCC  
DISPOSITION CLERK-CCC  
VICTIM WITNESS DIV-CA-CCC

SENTENCE - SUMMARY PROBATION - GRANTED

3:22 p.m. State is represented by Deputy County Attorney Armando Rodriguez on behalf of the above-named counsel. Defendant is present and represented by Deputy Public Defender Robert Lerman on behalf of the above-named counsel.

Court Reporter, Pam Celske, is present.

The Defendant is advised of the charge, the determination of guilt and is given the opportunity to speak.

Pursuant to A.R.S. Section 13-607,

THE COURT FINDS AS FOLLOWS:

WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived his right to a trial with or without a jury, his right to confront and cross examine witnesses, his

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right to testify or remain silent and his right to present evidence and call his own witnesses after having been advised of these rights. The determination of guilt was based upon a plea of Guilty.

Having found no legal cause to delay rendition of judgment and pronouncement of sentence, the Court enters the following judgment and sentence:

IT IS THE JUDGMENT of the Court that the Defendant is guilty of the crime of:

OFFENSE: (Amended) Count 1: Possession of Marijuana, a class one (1) Misdemeanor, nondangerous and nonrepetitive offense in violation of A.R.S. Sections 13-3401, 3405, 3418, 707, 802, and 901.01(A) committed on December 2, 2001.

Upon consideration of the offense, and the facts, law and circumstances involved in this case,

Based upon the information provided, the Court finds that probation is mandatory pursuant to A.R.S. Section 13-901.01(A) due to the fact that this is the Defendant's first drug conviction. The Court further finds probation to be appropriate due to the nature of this offense and the Defendant's need for supervision and for treatment.

As punishment for this crime,

IT IS ORDERED suspending imposition of sentence for a period of twenty-four (24) months from this date and placing the Defendant on summary probation under the supervision of the Adult Probation Department of this Court in accordance with the formal Judgment and Order imposing terms of summary probation signed by the Court.

IT IS ORDERED that the Defendant pay a monthly probation service fee to the Clerk of the Superior Court of Maricopa County at a rate of \$30.00 commencing on March 2, 2002 and due

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on the same day of each month thereafter during the term of probation.

FINE: Total amount of \$750.00; surcharges are waived.

Payment is to be made in regular monthly payments of \$40.00 commencing March 2, 2002 and on the same day of each month thereafter until paid in full.

Fine is to be paid to the Arizona Drug Enforcement Fund.

Pursuant to A.R.S. Section 12-116, Defendant shall pay a fee of \$20.00 to the Clerk of the Superior Court of Maricopa County. Should Defendant pay all penalties, fines and/or sanctions in full this date, said fee is not applicable.

Payment is to be made on or before March 2, 2002.

IT IS ORDERED that the Defendant shall complete 8 hours of drug education and provide proof of completion to the Court within 90 days of sentencing.

**IT IS FURTHER ORDERED setting a Compliance Hearing on April 16, 2002 at 8:30 a.m. in this Division.**

IT IS ORDERED granting the Motion To Dismiss Count 2.

The written terms and conditions of probation are handed to the Defendant for explanation, acceptance and signature. The Defendant agrees to the stated waiver of extradition. The Defendant is advised concerning the consequences of failure to abide the conditions of probation.

The Court advises Defendant of the rights of review and provides written notice of those rights.

FILED: Conditions of Summary Probation and Notice of Rights of Review After Conviction.

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Defendant has waived the preparation of a presentence  
report.

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Defendant's thumbprint is permanently affixed to this  
sentencing order in open court.

3:25 p.m. Matter concludes.

/s/ JUDGE PRO TEM WM. DAVID ANDERSON  
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)